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General publications
REPORT ON OPERATIONS
of
THE FLOOD HOMES AND BUILDINGS ASSISTANCE BOARD
OF ONTARIO

November 7, 1955

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R E P O R T O N O P E R A T I O N S

OF

THE FLOOD HOMES AND BUILDINGS ASSISTANCE BOARD

OF ONTARIO

November 7, 1955.



To the Honourable Leslie Frost,
Premier, Province of Ontario,
Legislative Buildings,
Toronto.

Honourable Sir:

It is a pleasure to submit herewith the Report of The Flood Homes and Buildings Assistance Board.

The members of the Board are happy to have been of service in this connection and respectfully suggest that the Board, having completed its assignment, be dissolved.

Yours faithfully,

Norman W. Long, Chairman.

John T. Bryden, Member.

John S. Entwistle, Member.

Toronto.
November 7, 1955.

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1. THE FLOOD AND FLOOD AREA

Hurricane Hazel was born in the Caribbean on October 6th, 1954, passed between Cuba and Haiti causing extensive destruction along the coast of the latter and on October 15th crashed into the Carolina coast, jumped the Alleghanies and headed north towards Lake Ontario, leaving a path of destruction in its wake. Still water-laden, Hurricane Hazel met a cold front moving in from the west, and the two storms collided over the mouth of the Humber River, moved northward and centred in the Brampton area.

This deluge, arriving at a time when the land generally was waterlogged from previous rains rapidly took on flood proportions as it coursed down the river valleys leading, in the case of the Humber, the Rouge, the Credit, the Don, Highland Creek and Etobicoke Creek to Lake Ontario, and in the case of the Holland River through the Holland Marsh area to Lake Simcoe, and in the case of the Grand River to Lake Erie.

The Humber drainage area was the hardest hit, although damage was significant in all river valleys and a small area at Bridgeport on the Grand River was affected. These flood waters caused a night and day of terror, the loss of 81 lives, much damage to both privately and publicly owned structures, and much loss of personal and household goods and effects, as well as considerable damage to crops and, in some cases, livestock.

2. EMERGENCY ASSISTANCE

Emergency assistance was forthcoming from municipal services and existing charitable agencies for the many whose homes had been destroyed or were uninhabitable. The Ontario Hurricane Relief Fund was organized through the Board of Trade of the City of Toronto to give a focal point for the receipt of donations and for the making of assistance payments on an organized basis where need existed. Donations to this Fund flowed in from private individuals and corporate organizations throughout Canada and elsewhere. Assistance payments from this Fund were directed mainly toward emergency welfare, particularly in the rehabilitation of trailer camp residents, and assistance in the replacement of personal and household goods and effects, some crop damage, and agricultural assistance.

3. JOINT COMMISSION ON HURRICANE DAMAGE

Mr. J. B. Carswell and Mr. D. B. Shaw were appointed Commissioners under Part I of the Inquiries Act by the Federal Government on October 20th, 1954.



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Mr. Shaw was the representative of the Ontario Government. They were directed to make an immediate survey of the nature and extent of the damage. They reported on October 29th, 1954, to both Governments under the title of the "Joint Commission on Hurricane Damage".

4. THE FLOOD HOMES AND BUILDINGS ASSISTANCE BOARD

The Ontario Government created The Flood Homes and Buildings Assistance Board on November 4th by Order-in-Council No.2823 to make assistance payments to persons who had suffered damage to or destruction of their homes and buildings.

The members of the Board consisted of

Mr. Norman W. Long - Chairman

Mr. Long is a commissioner on the Toronto and York Roads Commission, a member of the Advisory Board, Humber Valley Conservation Authority, a member of the Toronto Real Estate Board, a Past President of the National House Builders Association and a Past President of the Society of Residential Appraisers. He was formerly President of Monarch Mortgage and Investments Limited.

Mr. John T. Bryden - Member

Mr. Bryden is Vice President and General Manager of North American Life Assurance Company, a Past President of Dominion Mortgage and Investment Association, a Past President of the Citizens Research Institute of Canada, a Past Governor of the Society of Residential Appraisers (Chicago), a member of Council, Board of Trade of City of Toronto, and a Director of the Bureau of Municipal Research, Toronto.

Mr. John S. Entwistle - Member

Mr. Entwistle is head of the accounting firm of John S. Entwistle and Company, Member of the Canadian Institute of Certified Public Accountants, President, The Public Accountants Council for the Province of Ontario, formerly Vice-President of the Ontario Chamber of Commerce, Author of several special reports on Finances of Municipalities.

The Board thus had a knowledge of and familiarity with many aspects of the problem in its relation to property.

5. TERMS OF REFERENCE

Under Order-in-Council No.2823 (November 4, 1954) the Board was charged with the responsibility of investigating and appraising the damage to or destruction of privately owned dwellings, barns, storages, workshops and other buildings, caused by the flood waters from the main rivers and tributaries of the Humber and other affected areas in the Province on October 15th and 16th, 1954.

They were directed to make, upon the basis of the appraised damage to or destruction of such buildings, assistance payments to the owner, and if there was a mortgage involved, to the mortgagees under an arrangement that was equitable to the parties concerned provided that the first \$100. of structural damage or loss was to be deducted from the total appraised damage and the payment where damage was in excess of \$100. limited to 80% of the balance and subject to a maximum payment of \$5,000. to any one applicant. Direction was also given that if any insurance was payable as a result of such damage to or destruction of buildings, the amount was to be deducted from the total appraised damage before calculating the amount of the assistance payment.

As requests for assistance began to flow in and were examined, the Board realized that certain alterations in its terms of reference were desirable to enable it to carry out what was deemed to be the intent of the Order-in-Council.

For instance

- (a) The limit of \$5,000. for each applicant was creating hardship and inequity in certain cases where one applicant owned more than one dwelling or owned both a dwelling and a business property. This was particularly evident in, but not limited to, the Holland Marsh area.
- (b) Structural damage to privately owned buildings needed closer definition both as regards the type of structure and the kind of damage as well as what constituted privately owned buildings.
- (c) Since the Board needed to acquire premises for its operation in addition to technical and other staff and to incur expense for advertising and other matters incidental to its proper functioning, further clarification of its authority in this regard was needed.

Then, too, although the function of the Board was that of assistance for structural damage and for a limited term, and did not envisage participation in any long term Flood control, slum clearance or green belt schemes, the Board was instructed that where houses were in dangerous locations, the Province would pay for the acquisition of the building and the land necessary to the building.

Later the Attorney General received requests from certain municipalities regarding certain vacant lands in dangerous areas which if left for subsequent development would require provision of municipal services, some of which would be eligible for Provincial financial contribution, and pointing out that it would be cheaper for the Province to acquire the vacant lands than to permit their subsequent development.

The Board was asked to act as agent for the Attorney General in the acquisition of the aforementioned properties and vacant lands through the municipalities and to make payments to the municipalities in fulfillment of the arrangements made between the Attorney General and the individual municipalities. Further expansion of the Board's terms of reference was necessary in order to allow it so to do. This addition to the Board's activities considerably lengthened the time during which the Board's operations were carried on and thereby increased the expense which was incurred as a result of the Board's activities.

All these matters were the subject of discussion with the Attorney General and appropriate amendments made under Order-in-Council No.350 (February 10, 1955) and No. 399 (February 17, 1955). Text of the final Order-in-Council is set forth in Appendix I.

6. LIAISON WITH GOVERNMENT

The Board, during its period of existence, maintained a close liaison with the Provincial Treasurer and former Attorney General, the Honourable Mr. Porter, who gave the Board the utmost co-operation and was almost constantly available for advice and direction. The Board's relationship with the Provincial Departments of Planning and Development, Municipal Affairs, Agriculture, Public Works, the Treasury, and the Provincial Auditor was all of the highest order and their help and assistance essential to the accomplishment of its task. The relationship with and the help received from officers of the Federal Treasury Department should also be acknowledged, as well as that of both Mr. Carswell and Mr. Shaw of the Joint Commission on Hurricane damage.

The Board also received valuable assistance from the officials and staffs of the various municipalities and from Messrs. Gardiner and Lascelles of the Metropolitan Government as well as numerous individuals and committees that were participating in the work of relief and rehabilitation in the different areas.

7. POLICIES

In carrying out its duties within its terms of reference the Board endeavoured to base its actions upon the following general policies or principles:

(a) Assistance Payments

The Board interpreted its directive to be that of making assistance payments to owners within its terms of reference and to make them as quickly as possible. Although the payments were based on structural damage, the Board assumed no responsibility as to whether the payments were used for the purpose of repair and rehabilitation or not. There was no entitlement to payment as a matter of "right". The Board also felt that the payments must be "applied for" by the owner or his agent and no onus existed to make payments in any cases where assistance was not requested. The Board attempted in every way -- by advertising, through press releases, by radio broadcasts, by making available its "Request for Assistance" forms through municipal offices in the affected areas, and through its own offices at the Parliament Buildings and at 199 Bay Street -- to make its services known and to facilitate the filing of requests.

(b) Flood waters from main rivers and tributaries

The Board interpreted its terms of reference to mean that to be eligible for assistance payments, structural damage must have been caused by water arising directly from a main river or tributary on the appropriate dates and coming overland. Cases where water backed up from sewer connections or where surface water seeped through foundations were excluded. Similarly, cases where waters arose from other than main rivers or tributaries or where properties were situated on lakes were also excluded.

(c) Privately owned

The Board was anxious to give as wide a definition as possible to "privately-owned". Consequently the Board included churches, parsonages and buildings owned by religious organizations, charitable groups, service clubs, agricultural societies and other similar organizations. Where, however, properties were owned by governments - federal, provincial or municipal or their boards or commissions - they were deemed to be beyond the terms of the Order-in-Council.

(d) Structural damage

Structural damage was interpreted, in accordance with the Order-in-Council, to mean damage to dwellings, garages, barns, storages, workshops, and business premises. Included in the definition of structures were the usual fixtures, that is, furnaces, oil burners, and sump pumps. In addition, septic tanks, retaining walls essential for the protection of foundations, wells constituting the household water supply, were included. On the other hand roadways, driveways, railway sidings, summer cottages not used for year round occupancy, private docks, landscaping, fences, bridges, dams, culverts and swimming pools were deemed to be ineligible.

Included in the definition of business premises were boat liveries including docks in connection therewith, commercial animal kennels, commercial greenhouses, and park and recreational facilities operated by charitable and similarly classifiable organizations such as the Boy Scouts Association, Neighbourhood Workers Association, and Service Clubs.

(e) Maximum award

For the purpose of determining maximum limits, an establishment was defined as being a building or group of buildings which is used for the shelter of a family unit or a building or group of buildings

which was an integrated small business enterprise. The terms of reference gave the Board discretion to treat a farm as a small business enterprise separate from the dwelling house or houses standing on it, and directed that where an applicant had suffered damage in respect of more than one establishment, it could be treated as applications on behalf of two or more applicants, provided that each application was subject to the deductions in the financial award formula. Thus the maximum award of \$5,000. could be made in reference to each establishment owned by an applicant. In practice, however, no applicant was credited with more than two establishments. The provision was used in arriving at an equitable solution in some cases, particularly in the Holland Marsh area.

(f) Time Limit

The Board in its original advertisements and its subsequent reminders set December 15th, 1954, as the date by which applications must be made. It was found impractical to adhere to that deadline since numerous applications continued to flow in subsequently. In view of this, the onset of the Christmas holidays and some evidence that there was still some confusion in the minds of applicants as to the functions of the Ontario Hurricane Relief Fund and this Board, it was decided to continue to give consideration to applications received up to January 31, 1955. In a few isolated cases where the Board was furnished with evidence that original applications were forwarded in good time but owing to being lost in the mails or for some other good reason had not been received, they were admitted subsequent to January 31, 1955. The Board believes that adequate opportunity was given to all prospective applicants to file their requests for assistance if they so desired.

(g) Awards based on appraisal

All awards were established strictly in accordance with appraisals of damage made by the Board's own appraisal staff, except in those cases of total destruction or where the property was subject to acquisition by the municipality.

In a small number of cases the Board ordered a reappraisal where evidence was submitted by the owner which made it appear that the first appraisal was out of line. Any increase in the appraisal of damage resulted in an appropriate increase in the assistance awarded.

The Board applied the financial formula by deducting any insurance payments which were known, then the \$100., and awarded 80% of the balance on behalf of each establishment except where the damage to two or more establishments owned by one applicant could be contained within the \$5,000. limit, the \$100. was only deducted once.

(h) Appraisals

The Board's approach to its appraisal objective was basically one of an estimation of the cost of repair to bring the structure to approximately its pre-flood condition using average quality of materials. To this end, unit cost schedules were prepared for the guidance of appraisers in order to develop consistency as well as adequacy.

In the case of properties which had been swept away or damaged beyond repair the Board directed an appraisal on the basis of cost of reproduction new again based on use of average quality materials. In most of these cases the properties themselves subsequently came within those which the municipalities designated as being in dangerous locations and thus became subject to an additional valuation procedure which included a land valuation and the depreciated value of the building.

(i) Payments to owners

The Board was directed to pay to owners and if there was a mortgage involved to the mortgagees under an arrangement which was equitable to all concerned. The Board, after approval by the Attorney General, directed that payments up to \$500. could be made to the apparent owners without the necessity for a title search and without reference to any mortgagee. For awards over \$500. and up to

\$1,000. the title was to be searched to ensure that the applicant was in fact the registered owner. On all amounts over \$1,000. the position of the mortgagee, if any, was taken into consideration and the cheque was made out jointly to owner and mortgagee or mortgagees. In making settlements the Board's staff considered these as minimum requirements and in their judgement searches were made for amounts less than \$500. and mortgagees recognized in amounts less than \$1,000. For the purpose of payment, an estate was deemed to be an owner.

(j) Properties to be acquired

Arrangements for the acquisition of properties by the municipalities were made as a result of discussions between the Attorney General and the municipalities concerned, it being felt that the municipalities themselves were best qualified to designate the properties to be classified as dangerous. As the lists of properties, which the municipalities designated as being in dangerous locations, were received, the Board satisfied itself, either by independent valuation or otherwise, that the amounts proposed to be paid were reasonable and recommended to the Attorney General that the properties be acquired. After the Attorney General's approval had been obtained and agreements executed between the municipalities concerned and the Province, the Board implemented the arrangements. The municipalities outside Metropolitan Toronto agreed to hold these lands subject to the direction of the Minister of Planning and Development or such member of the Executive Council as might be delegated from time to time. Within Metropolitan Toronto the agreement was directly with the Metropolitan Council and it in turn made its arrangements with its constituent municipalities. The agreement with the Village of Woodbridge (Appendix II) is typical of the agreements concluded with those municipalities outside Metropolitan Toronto. The agreement with Metropolitan Toronto is set forth in Appendix III.

Generally, the Province paid 100% of the cost of property acquisition in the municipalities outside Metropolitan Toronto, and in Metropolitan Toronto the Province paid 75%, the balance being divided between the Metropolitan Government and the constituent municipality except in the case of

Long Branch where the Province paid 50%, the balance being paid by the Metropolitan Government subject to an arrangement whereby Long Branch will reimburse the Metropolitan Council from revenue to be received from the dumping of sanitary fill.

The Federal Government reimbursed the Province for a portion of the awards in connection with structural damage to buildings, and also a portion of the valuations of buildings in the case of acquisition of condemned properties.

(See Federal Participation Page 12)

8. SUMMARY OF ASSISTANCE PAYMENTS

The results of the operations of the Board were as follows:

	Number of Applications
Total "Requests for Assistance" received	1601
Less duplications	<u>67</u>
"Requests for Assistance" received	<u>1534</u>
Assistance in acquisition where no "Request for Assistance" filed	208
	<u>1742</u>

These were disposed of as follows:

(a) Properties not subject to acquisition

Awarded and disbursed	827
Handed to Ontario Hurricane Relief Fund	49
Handed to Department of Agriculture	70
Declined -- less than \$100.	93
not flood damage	121
Summer Cottages	28
miscellaneous	<u>24</u>
	266

(b) Properties subject to acquisition

Metropolitan Toronto	349
Other than Metropolitan Toronto	<u>181</u>
	<u>530</u>

While this summarizes the actual files dealt with by the Board, much additional time and effort was expended by the Board's staff in dealing with many other requests either by conversation or correspondence which were beyond the Board's terms of reference.

TOTAL DISBURSEMENTS made by the Board and those estimated yet to be made classified as to properties not to be acquired and those to be acquired and divided by municipality.

<u>Municipality</u>	Properties not subject to acquisition		Properties subject to acquisition	
	<u>Number</u>	<u>Amount</u>	<u>Number</u>	<u>Amount</u>
<u>METROPOLITAN TORONTO:</u>				
City of Toronto	4	\$ 8,257.00	--	--
Etobicoke	40	40,402.00	66	\$443,288.00
North York	39	31,989.00	43	215,959.00
York	85	59,399.00	--	--
Long Branch	4	2,269.00	184	817,126.00
Scarborough	9	14,668.00	56	187,350.00
East York	3	6,111.00	--	--
	<u>184</u>	<u>\$163,095.00</u>	<u>349</u>	<u>\$1,663,723.00</u>
<u>OTHER THAN METRO:</u>				
Barrie	19	\$ 4,628.00	--	--
Bolton	11	4,073.00	--	--
Bradford	7	3,613.00	--	--
Bridgeport	22	4,275.00	10	\$ 26,950.00
Gwillimbury E.Twp.	13	10,946.00	--	--
Gwillimbury W.Twp.	124	180,169.00	--	--
King Township	193	186,612.00	80	143,829.00
Newmarket	17	5,480.00	--	--
Toronto Township	34	18,003.00	30	60,950.00
Vaughan Township	36	30,029.00	21	107,800.00
Woodbridge	51	39,972.00	40	174,100.00
Other Municipalities	<u>116</u>	<u>70,865.00</u>	--	--
TOTAL--Other than Metropolitan Toronto	643	\$558,665.00	181	\$ 513,629.00
TOTAL--				
Metropolitan Toronto	<u>184</u>	<u>\$163,095.00</u>	<u>349</u>	<u>\$1,663,723.00</u>
TOTAL	827	\$721,760.00	530	\$2,177,352.00

Analysis by type of structure and size of assistance payments for those properties not subject to acquisition were:

	<u>Number</u>	<u>Amount</u>
Dwellings and outbuildings	773	\$657,124.00
Small businesses	<u>54</u>	<u>64,636.00</u>
TOTAL	827	\$721,760.00
	<u> </u>	<u> </u>
Awards under \$500.	436	\$101,630.00
Awards \$500. and under \$1,000.	206	153,491.00
Awards \$1,000. " " \$3,000.	140	230,614.00
Awards \$3,000. " " \$5,000.	21	101,025.00
Awards \$5,000. maximum	<u>24</u>	<u>135,000.00</u>
TOTAL	827	\$721,760.00
	<u> </u>	<u> </u>

9. FEDERAL PARTICIPATION

The Board understands that arrangements were made between the Federal and Provincial Governments to share the assistance payments made on account of structural damage on a 50-50 basis, the Federal Government's share in any one case not to exceed one-half of the \$5,000. maximum. The Federal Government also participated in payments in addition to structural damage in cases where the services such as roads, sewers, water etc. had been destroyed. In such cases upon receipt of a certificate from a responsible municipal official stating that services had been destroyed and this certificate having been endorsed by the Board, the Federal Government treated the property as wholly destroyed and paid its share of the acquisition cost (excluding land) rather than its share of the appraised structural damage. In certain cases where this certificate could not be obtained the Federal Government's share was computed upon a slightly different basis.

10. ADMINISTRATION

(a) The Board

The Board held its organization meeting on November 3rd, 1954. It met almost daily thereafter for several weeks as organizational work was started, staff acquired and premises secured. Until January 31st, 1955, the Board held its meetings in the members room at the Parliament Buildings. The Secretarial and Settlement sections, however, operated from 199 Bay Street in space occupied jointly with the staff of the Ontario Hurricane Relief Fund. Since January 31, 1955, when the members room was no longer available due to the opening of the Legislature, the Board moved to 199 Bay Street also. On April 16, 1955, with staff greatly reduced the Board and staff moved to 119 Adelaide Street West, and finally on August 10, 1955, to 8 York Street.

In all the Board held 47 meetings in addition to an aerial survey and visits to the stricken areas, conferences with local groups and discussions with both municipal and provincial authorities.

Miss Kathleen Barnes acted as Secretary to the Chairman.

(b) Organization

The Board's organization consisted of five main divisions -- the Secretarial, the Appraisal, the Settlement, the Legal, and the Accounting and Audit divisions.

1. Secretarial division

Mr. J. Samuel Roberts acted as Secretary to the Board and Mr. E. R. Medland as Assistant Secretary. Mr. R. M. McKay acted as office manager at Bay Street. The Secretarial division was responsible for the dissemination of Request for Assistance forms, their receipt, file identification, acknowledgment, examination and initial screening as to eligibility. In those cases obviously within the terms of reference, Request for Appraisal forms were prepared for transmission to the Appraisal division. Both alphabetical and location index cards were made out. In those

cases patently beyond the terms of reference, the requests were declined. In all cases of doubt, the requests were held pending rulings by the Board and then either declined or processed.

Subsequently, as the approved appraisals were returned, the Secretarial division transferred the complete file to the Settlement division for disposition. In addition they were responsible for handling many personal and telephone enquiries received as well as other work of a secretarial nature.

2. Appraisal division

The Appraisal division was under Mr. Alex Curry, Toronto Mortgage Manager of the Sun Life Insurance Company, who also acted as Chairman of an Appraisal Committee consisting of Messrs.

H. Hignett of Central Mortgage and Housing Corp.,
G. L. MacDonald of Veterans' Land Act,
P. S. Bedford of Toronto General Trust Corp.,
B. Grant of Lawrence Construction Co. Ltd.,
J.P.C. MacLatchy of Toronto Real Estate Board,
A.J.B. Gray, Metropolitan Toronto Assessment
Commissioner, and
Gordon Hepditch of Metropolitan Assessment Board.

This Committee prepared the appraisal forms, developed a yardstick of costs of repair based on the use of average quality materials for the guidance of appraisers and subsequently acted as a Committee of Review when completed appraisals were returned.

Altogether the Board had the services of more than 100 appraisers, drawn from the Veterans' Land Act administration, Central Mortgage and Housing Corporation, life insurance, loan and trust companies, the Toronto Real Estate Board, Toronto Metropolitan Home Builders Association, Municipal Assessors, and several independent appraisers. The Board cannot speak too highly of the co-operation which was extended by all participants in accomplishing what turned out to be a rather difficult assignment in a short space of time.

Many appraisals were made during the weekends on the appraisers' own time. That the work was well done was evidenced by the fact that alterations on review were relatively minor and that only 27 reappraisals were made. In all the Board's appraisers made 1,591 separate appraisals for which they received fees aggregating \$20,689.

Many appraisals were made where no payment resulted, either because the damage turned out to be ineligible under the Board's terms of reference or was not sufficiently extensive to come within the assistance formula. Many other appraisals of structural damage were made by the Board's appraisers on properties which subsequently were designated by the municipalities for acquisition and which then became subject to another valuation for the purpose of determining the acquisition price.

3. Settlement division

The Settlement division was in charge of Mr. R. S. Booth, recently retired from the Bank of Toronto. Its responsibility was to receive the application and the relative completed appraisal of damage, check the documents, request the Legal division to make a Title Search where necessary, satisfy themselves as to Title and the eligibility of the applicant, then calculate the award and requisition the cheque for payment. One of the major problems encountered in the work of both the Settlement division and the Legal division was either inadequate or erroneous legal descriptions which occasioned much correspondence and many telephone calls and interviews before some payments could be finalized.

The processing of assistance payments by the Settlement division was delayed somewhat, pending receipt of lists from the various municipalities of those properties which they, with provincial financial assistance, proposed to acquire, since the Board deemed it unwise to make assistance payments in any case which might subsequently be taken over and in this way, in effect, possibly pay twice.

In some cases where properties were being acquired the Board made periodic lump sum advances to municipalities in advance of receipt of title deeds.

4. Legal division

The Legal division was in charge of Mr. K. G. Morden, Q.C. His responsibility was not only to attend Board Meetings and advise the Board in connection with many matters of a legal nature, but also to arrange for the searching of titles, where necessary, where individual assistance payments were being made, and to draft agreements with the individual municipalities in connection with the assistance payments which the Board was making, as agent for the Province, in the acquisition of properties.

5. Accounting and Audit division

The Board had the full time services of Mr. R. B. Walker, C.A. of the Ontario Treasury Department, and for a period of about nine months his assistant was Mr. S. B. Nicoll, also of the Treasury Department. They looked after the accounting work in connection with payrolls and other expenses of the Board, the requisitioning of funds from the Provincial Government as required, and the preparation of cheques for the Board's signature. Mr. Harland Newinger of the Provincial Auditors Department and his assistants made a running audit of all transactions.

Each staff member, including the members of the Board were covered by a blanket bond in amount of \$25,000.

The Board acknowledges the services of all the above mentioned and the many others who from time to time were employed in the various phases of the Board's activities. In all respects a high degree of co-operation existed.

(c) Costs of administration

The costs incurred by the Board were as follows:

Salaries	.....	\$25,850.70
Appraisal Fees	.....	20,689.00
Legal Fees	.....	13,450.15
Rent	.....	4,100.00
Advertising and Publicity		3,400.40
Printing and Stationery		1,907.09
Telephone	.....	1,314.16
Furniture and Machine Rental		1,053.76
Postage	.....	80.07
Travelling	.....	782.18
Insurance	.....	238.68
Moving	.....	91.35
Miscellaneous	.....	102.54
		<u>\$73,060.08</u>

NOTES:

Staff:

Salaried employees consisted of

- (1) Secretary to the Board and an assistant
- (2) Office Manager
- (3) Chairman of Settlement Division and 3 assistants
- (4) Switch Board Operator
- (5) Counter Clerk
- (6) Filing Clerk
- (7) Stenographers and typists.

The Staff was at its peak in November and December when on some days from 100 to 200 applications for assistance were received. It was reduced as the volume declined and finally consisted of two salaried employees only.

Appraisal Fees:

The following is the Schedule of fees authorized by the Board:-

	Urban	Rural
Where damage did not exceed \$1,000.	\$5.00	\$10.00
Where damage was from \$1,000. to \$3,000.	10.00	20.00
Where damage exceeded \$3,000.	15.00	20.00
Where there was total destruction	25.00	25.00

Legal Fees:

A fee of \$10.00 plus disbursements was set for each search of title and searches were made in every instance where the award exceeded \$500.

Advertising and Publicity:

Messrs. F. H. Hayhurst Co. Ltd. counselled the Board with regard to advertising and Cockfield Brown & Co. Ltd. as to public relations and publicity.

CONCLUSION:

The Board, in this report, has attempted to summarize its methods and procedures and to set forth its best estimate of the total of assistance payments and other disbursements to be made. Although by far the major part of its work has been completed and the payments finalized, there are a few outstanding cases to be finished and payments effected.

The Department of Planning and Development have agreed to follow up a few cases where certain properties in low lying areas being acquired by the various municipalities have not yet been finalized. Delays in this respect have resulted from legal difficulties and/or lack of agreement being reached between the owners and the municipality concerned. At this juncture, it would appear that final completion of this work will take some time.

The Treasury Department have agreed to follow up two additional matters. First, there is final settlement with those municipalities who have a 20% hold-back due to them as soon as they have complied with all the terms of their respective agreements. Second, there is still work to be done in connection with the claim to be made on the Federal Government for the reimbursement of their share of structural damage assistance payments and property acquisition costs.

The Board, in conclusion, would like to recommend that a survey be made in all municipalities suffering flood damage of the extent of property acquisitions. It seems to the Board that it would be

desirable for the municipalities and/or Province to acquire certain additional properties, which are adjacent to those presently being acquired, in order to "round out" the park areas. If the acquisition of such properties is left until a later date, they could well appreciate in value as a result of their being surrounded by or adjacent to park lands. In any event, the Board believes that it would be desirable to consider carefully the issuance of building permits in the future on any lots in low lying areas whether or not they have been classified by the municipality as being in a dangerous location. In this connection present and future registered plans should be examined with this point in view.

The detailed records of the Board have been placed with the Department of Planning and Development and we expect will eventually be lodged with the Department of Public Works.

Respectfully submitted,

NORMAN W. LONG

JOHN T. BRYDEN

JOHN S. ENTWISTLE

Toronto, Ontario.
November 7, 1955.

APPENDIX I

Text of
Order-in-Council No.2823 (November 4, 1954)
as amended by Orders-in-Council Nos.350
(February 10, 1955) and 399 (February 17, 1955).

ONTARIO EXECUTIVE COUNCIL OFFICE

Copy of an Order-in-Council approved by His Honour
the Lieutenant-Governor, dated the 4th day of
November, A.D. 1954.

The Committee of Council have had under
consideration the report of the Honourable the
Attorney-General, dated the 3rd day of November,
1954, wherein he states that:-

WHEREAS the flood resulting from the
hurricane, designated as 'Hazel', caused grievous
loss of life and damage to and destruction of real
and personal property in the central region of
Ontario on October 15th and 16th, 1954.

AND WHEREAS The Hurricane Relief Fund
has been established to provide assistance to
persons who have suffered the loss of personal
property and effects, including household furnishings.

AND WHEREAS to assist the persons who
have suffered damage to or destruction of their
homes and buildings, a three-member Board, herein
called The Flood Homes and Buildings Assistance
Board, has been created.

The Honourable the Attorney-General
therefore recommends that:

1. The Flood Homes and Buildings Assistance
Board be composed of Mr. Norman William Long as
Chairman and Messrs. John T. Bryden and John S.
Entwistle.

2. The Board shall investigate and appraise
the damage to or destruction of privately owned
dwellings, barns, storages, workshops, and other
buildings caused by the flood waters from the main
rivers and tributaries of the Humber and other
affected areas in the Province on October 15th and
16th, 1954.

As amended by
OC.350/55
February 10,
1955.

As amended by
OC.350/55
February 10,
1955.

3. Without limiting the generality of paragraph 2 hereof,

- (a) the following classes of buildings and structures shall be eligible for assistance: retaining walls for the protection of foundations of buildings, septic tanks, wells constituting household water supply, churches, parsonages, commercial boat liveries including docks in connection therewith, commercial animal kennels, buildings owned by charitable organizations, co-operative organizations, clubs, and agricultural societies;
- (b) notwithstanding anything herein contained, the following classes of buildings, structures and works shall not be eligible for assistance: roadways and driveways, railways, summer cottages, private docks, landscaping, fences, bridges, culverts, dams and swimming pools.

As amended by
OC.350/55
February 10,
1955.

4. Upon the basis of the appraised damage to or destruction of such buildings, the Board may make assistance payments to the owner, and if there be a mortgage involved, to the mortgagee, under an arrangement that is equitable to the parties concerned, provided that,

- (a) the first \$100 of structural damage or loss shall be deductible from the total appraised damage or loss sustained by each applicant;
- (b) where the damage or destruction exceeds \$100, the Board may make an assistance payment to each applicant not exceeding 80 per cent of the appraised damage or loss, and subject to a maximum payment of \$5,000 to any one applicant; and
- (c) any insurance payable as a result of the damage to or destruction of buildings, as herein defined, shall be deducted from the amount of the said appraised damage or destruction before calculating the amount of the assistance payment.

As amended by
OC.350/55
February 10,
1955.

5. For the purposes of this paragraph, establishment shall mean each building or group of buildings which is used for the shelter of a family unit or each building or each group of buildings which is an integrated small business enterprise; and in the discretion of the Board a farm may be treated as a small business enterprise separate from the dwelling house or houses standing on it,

- (a) where a person has suffered damage in respect of more than one establishment, he may make a separate application for assistance in respect of each establishment he owns and if he makes one application, it may be treated in the discretion of the Board as two or more applications;
- (b) each application shall be subject to the deductions and conditions set out in paragraph 4 hereof.

As amended by
OC.399/55
February 17,
1955.

6. The Board may, as agent for the Government of the Province of Ontario, make payments to municipalities to assist them in the acquisition of lands and premises in flood areas upon such terms and for such prices as may be directed by the Attorney-General for Ontario.

As amended by
OC.350/55
February 10,
1955.

7. The Board may engage and pay such technical and other staff and lease such premises and pay such other expenses as may in the Board's opinion be required to carry out its duties.

No.5
on original
OC.2823/54
November 4,
1954.

8. The Board shall, from time to time, report upon the facts disclosed and the financial payments required.

The Committee of Council concur in the recommendations of the Honourable the Attorney-General and advise that the same be acted on.

Certified,

H. A. STEWART

Clerk, Executive Council.

APPENDIX II

MEMORANDUM OF AGREEMENT made in quintuplicate
this 21st day of February, A.D. 1955.

B E T W E E N :

THE CORPORATION OF THE VILLAGE OF WOODBRIDGE,
(hereinafter called "Woodbridge")

OF THE FIRST PART

- A N D -

HER MAJESTY THE QUEEN, IN THE RIGHT OF ONTARIO,
(hereinafter called "the Province")
represented herein by The Honourable Dana Porter,
Attorney-General,

OF THE SECOND PART

WHEREAS Woodbridge has decided to acquire certain lands and premises situate within Woodbridge for the purpose of preventing damage to highways, bridges, buildings, lands and other property within Woodbridge by floods arising from the over-flowing and damming back of rivers, streams and creeks;

AND WHEREAS the Province has agreed to pay Woodbridge the purchase price paid by Woodbridge, subject to the approval of the Province of the prices paid, for the unencumbered title to such lands and premises situate in Woodbridge and particularly described in Schedule "A" hereto;

AND WHEREAS in consideration of the said payment, Woodbridge has agreed to hold title to the said lands and premises after their acquisition upon the terms and conditions set out in this Agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH that the Province and Woodbridge agree as follows:

1. The lands and premises described in Schedule "A" hereto, when acquired by Woodbridge, shall be held by Woodbridge for and on behalf of the Province and shall be used and disposed of as the Minister of Planning and Development of the Province or such member of the Executive Council as may be designated by the Lieutenant-Governor in Council may from time to time direct.

2. Woodbridge certifies that all the lands and premises within Woodbridge which it is necessary to acquire for the purpose of preventing and avoiding loss of life, personal injuries and serious property damages which might be caused by the flooding of rivers in the future are described in Schedule "A" hereto.

3. Woodbridge will at its own expense commence upon the execution of this Agreement, to remove and clear all structures from and to level the said lands and premises and will complete the same within a reasonable time and to the satisfaction of the Province.

4. Woodbridge will maintain and police the said lands and premises to the satisfaction of the Province.

5. No structures, buildings or works shall be built or erected upon the said lands and premises unless the Minister of Planning and Development or a member of the Executive Council as may be designated by the Lieutenant-Governor in Council consents to such building or erection.

6. The said lands and premises shall not be subject to any municipal assessments or taxes.

IN WITNESS WHEREOF Woodbridge has caused its corporate seal to be hereunto affixed, attested by the hands of its proper officers duly authorized by by-law, and the Honourable Dana Porter, Attorney-General, has hereunto set his hand on behalf of the Province.

CORPORATE SEAL
WOODBRIDGE

SIGNED on behalf of the Province
of Ontario, by the Honourable
Dana Porter, Attorney-General,
in the presence of

A. W. NICOL

FRED D. ARMSTRONG
Reeve

W. H. YOUNG
Clerk

DANA PORTER

APPENDIX III

MEMORANDUM OF AGREEMENT made in quadruplicate
this 15th day of July, A.D. 1955.

B E T W E E N :

THE MUNICIPALITY OF METROPOLITAN TORONTO,
(hereinafter called "Metro")

OF THE FIRST PART

- A N D -

HER MAJESTY THE QUEEN, IN THE RIGHT OF ONTARIO,
(hereinafter called "the Province")
represented herein by The Honourable Dana Porter,
Attorney-General,

OF THE SECOND PART

WHEREAS Metro has decided to acquire certain lands and premises situate within the Metropolitan area, in the areas considered dangerous by Metro in the valleys of the Etobicoke, Humber and Don Rivers and the Highland Creek, because of the flood caused by Hurricane Hazel in October 1954, and to set aside the said lands and premises so acquired so that they shall never in the future be used for residential, commercial or industrial purposes.

AND WHEREAS the Province has agreed to assist Metro by paying in part the cost of acquiring such lands and premises, described in Schedule "A" hereto, subject to the approval of the Province of the prices paid for individual lands and premises as acquired.

NOW THEREFORE THIS AGREEMENT WITNESSETH that the Province and Metro agree as follows:-

1. The lands and premises, described in Schedule "A" hereto, when acquired by Metro, shall be held by Metro and shall never in the future be used for residential, commercial or industrial purposes.
2. In the respect of lands and premises situate in the Village of Long Branch, the Province shall pay Metro fifty per cent of the cost of acquisition and in respect of lands and premises situate in all other metropolitan area municipalities, seventy-five per cent of the cost of acquisition.

3. The cost of acquisition shall mean and include the sums paid to the owners of the said lands and premises and the expenses incurred by and disbursements made by Metro for valuation fees, legal fees, land transfer taxes and search and registration fees in respect of the acquisition of the said lands and premises.

4. The Province shall not make any payments to Metro under this Agreement in respect of lands and premises acquired by Metro unless and until the Province is furnished with (a) a certificate of the Finance Commissioner stating the sums paid to the owners for such lands and premises and that such sums were substantiated by valuations of independent appraisers, (b) a certificate of the Finance Commissioner of the expenses incurred by and disbursements made by Metro in addition to the sums paid for such lands and premises, (c) a certificate of the solicitor of the local and applicable municipality that the title to such lands and premises is vested in Metro, and (d) in the cases of lands and premises where either the water or sewer or roads were destroyed by the Hurricane Hazel Floods and it is not economically justifiable or feasible to reconstruct such service, a certificate of a responsible official of the local and applicable municipality to that effect.

IN WITNESS WHEREOF Metro has caused its corporate seal to be hereunto affixed, attested by its proper officers duly authorized by by-law and the Honourable Dana Porter, Attorney-General, has hereunto set his hand and seal on behalf of the Province.

CORPORATE SEAL
THE MUNICIPALITY OF METROPOLITAN TORONTO

THE MUNICIPALITY OF METROPOLITAN TORONTO

F. C. GARDINER

Chairman

G. M. FOSTER

Deputy Clerk

G. A. LASCELLES

Treasurer

SIGNED on behalf of the }
Province of Ontario, by }
the Honourable Dana Porter, }
Attorney-General, in the }
presence of }

A.W. NICOL } DANA PORTER

APPENDIX IV

..... 1955

To the Board,
The Flood Homes & Buildings Assistance Board,
Toronto, Ontario.

I hereby certify that the Services
to the properties on the attached list were
destroyed by the flood resulting from Hurricane
Hazel and that it is not economically justifiable
or feasible to reconstruct such Services.
The destroyed Services in the case of these
properties are either water or sewers or roads.

Yours truly,

Reeve (or Town Clerk)

...

We hereby confirm the above.

N. W. LONG, Chairman.

J. S. ENTWISTLE, Member.

J. T. BRYDEN, Member.

